From: Brian Heinis
To: Microsoft ATR
Date: 1/21/02 2:59pm
Subject: Microsoft Settlement

To Whom it May Concern;

In regards to the so-called Microsoft Settlement. What a sell out. We take a company that has been found guilty of abusing a monopoly to the detriment of competitors and customers alike and you want to let them off. What a joke! It makes me wonder how much Microsoft stock is owned by the DOJ lawyers in this case.

The hard work of the case is finished. Microsoft has been found guilty of abusing monopoly power. Now the DOJ wants to turn victory into defeat by proposing a meaningless remedy. Why do you think half the state Attorney Generals have refused to stick with the DOJ plan?

The best thing to do would be to split Microsoft into two companies. One would control and develop operating systems and the other would develop applications. That way the Application Programming Interfaces that are required to write quality software would all be public. All application programmers would have access to the APIs equally and Microsoft would not be able to disable competitor's programs so their inferior software appears to operate more reliably.

The settlement that Microsoft proposes and the DOJ has rubber stamped does nothing to stop the abuses. Microsoft has thumbed it nose at the laws of the United States and the court system in the past and they will do it again if they are not punished. Just the indication that Microsoft believes that this plan is fair should be a warning that it will not really impact them.

If I break the law I most certainly will be punished by jail time or a fine. It seems that if Microsoft breaks the law they are told not to do it again or else they will need to come up with a remedy. In the past they have simply kept on with business as usual.

After all the hard work of proving abuse of monopoly power the proposed settlement makes the Justice Department look like a joke. What a sell out.

Please throw out this flawed settlement and work on creating a meaningful punishment that will once again level the playing field for software developers.

Brian Heinis